

**714.16B Identity theft — civil cause of action.**

In addition to any other remedies provided by law, a person as defined under section 714.16, subsection 1, suffering a pecuniary loss as a result of an identity theft by another person under section 715A.8, or a financial institution on behalf of an account holder suffering a pecuniary loss as a result of an identity theft by another person under section 715A.8, may bring an action against such other person to recover all of the following:

1. Five thousand dollars or three times the actual damages, whichever is greater.
2. Reasonable costs incurred due to the violation of section 715A.8, including all of the following:
  - a. Costs for repairing the victim's credit history or credit rating.
  - b. Costs incurred for bringing a civil or administrative proceeding to satisfy a debt, lien, judgment, or other obligation of the victim.
  - c. Punitive damages, attorney fees, and court costs.

For purposes of this section, "*financial institution*" means the same as defined in section 527.2, and includes an insurer organized under Title XIII, subtitle 1, of this Code, or under the laws of any other state or the United States.

99 Acts, ch 47, §1; 2005 Acts, ch 18, §2

Referred to in §614.4A